Arnoldo ALVAREZ,

Appellant

v.

The STATE of Florida,

Appellee.

No. 81-1034.

District Court of Appeal of Florida,
Third District.

Aug. 17, 1982.

Rehearing Denied Oct. 8, 1982.

Appeal from Circuit Court, Dade County, Thomas E. Scott, Judge.

Bierman, Sonnett, Beiley & Shohat and Benedict P. Kuehne, Miami, for appellant.

Jim Smith, Atty. Gen. and Steven R. Jacob, Asst. Atty. Gen., for appellee.

Before SCHWARTZ, BASKIN and DANIEL S. PEARSON, JJ.

PER CURIAM.

Affirmed. *Milazzo v. State*, 377 So.2d 1161 (Fla. 1979); *Tresvant v. State*, 396 So.2d 733 (Fla. 3d DCA 1981); *United States v. Leaman*, 546 F.2d 148 (5th Cir. 1977).

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D. 1982
FRIDAY, OCTOBER 8, 1982

ARNOLDO ALVAREZ,

Appellant,

vs.

THE STATE OF FLORIDA,

Appellee.

CASE NO. 81-1034

Counsel for appellant having filed in this cause motion for rehearing, and same having been considered by the court which determined the cause, it is ordered that said motion be and it is hereby denied.

A True Copy

ATTEST:

LOUIS J. SPALLONE Clerk District Court of Appeal, Third District

By: _____
Deputy Clerk

cc: Benedict P. Kuehne
Steven Jacob